



Department of Defense INSTRUCTION

NUMBER 5200.08
December 10, 2005

USD(I)

SUBJECT: Security of DoD Installations and Resources

- References:
- (a) DoD Directive 5200.8, "Security of DoD Installations and Resources," April 25, 1991 (hereby canceled)
 - (b) Acting Deputy Secretary of Defense Memorandum, "DoD Directives Review-Phase II," July 13, 2005
 - (c) Section 797 of title 50, United States Code
 - (d) DoD 5200.8-R, "Physical Security Program," May 1991
 - (e) DoD 5025.1-M, "DoD Directives System Procedures," March 2003
 - (f) Section 1382 of title 18, United States Code

1. REISSUANCE AND PURPOSE

This Instruction:

- 1.1. Reissues reference (a) as a DoD Instruction according to the guidance in reference (b) and updates policy on the security of DoD installations and resources.
- 1.2. Authorizes commanders to issue regulations for the protection or security of property or places under their command, according to reference (c).
- 1.3. Continues to authorize the publication of reference (d) according to reference (e), to establish consistent minimum standards for protecting DoD installations and resources.

2. APPLICABILITY

This Instruction applies to the Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combat Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the "DoD Components"). The term "commanders," as used in this Instruction, refers to personnel assigned to command positions at all levels and the heads of the Defense Agencies and Field Activities.

3. POLICY

It is DoD policy that:

3.1. DoD installations, property, and personnel shall be protected and that applicable laws and regulations shall be enforced.

3.2. The authority of a DoD commander to take reasonably necessary and lawful measures to maintain law and order and to protect installation personnel and property:

3.2.1. Extends to temporarily established “National Defense Areas” under emergency situations such as accident sites involving Federal equipment or personnel on official business.

3.2.2. Includes the removal from, or the denial of access to, an installation or site of individuals who threaten the orderly administration of the installation or site.

3.2.3. Shall not be exercised in an arbitrary, unpredictable or discriminatory manner. Removal or denial actions must be based on reasonable grounds and be judiciously applied.

3.2.4. Exists in prohibiting individuals from reentering an installation after they have been removed and ordered not to reenter under Section 1382 of title 18, United States Code (reference (f)). If this order is violated, the commander of a DoD installation may detain individuals not subject to military law until the civil authorities may respond. Prosecution of offenders is appropriate.

3.3 Commanders at all levels have the responsibility and authority to enforce appropriate security measures to ensure the protection of DoD property and personnel assigned, attached, or subject to their control.

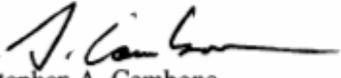
4. RESPONSIBILITIES

4.1. The Under Secretary of Defense for Intelligence shall develop overall security policy including requirements for the DoD Physical Security Program.

4.2. The Secretaries of the Military Departments and the Heads of other DoD components shall establish policies and procedures to implement this Instruction, consistent with the policies and guidelines contained in enclosure 1.

5. EFFECTIVE DATE

This Instruction is effective immediately.


Stephen A. Cambone
Under Secretary of Defense for Intelligence

Enclosure – 1

E1. Guidelines on Security of DoD Installations and Resources

E1. ENCLOSURE 1

GUIDELINES ON SECURITY OF DoD INSTALLATIONS AND RESOURCES

E1.1. GUIDELINES

The following commanders shall issue the necessary regulations for the protection and security of property or places under their command, according to reference (d):

E1.1.1. The commanding officers of all military reservations, posts, camps, stations, or installations subject to the jurisdiction, the administration, or in the custody of the Department of the Army.

E1.1.2. The commanding officers of all naval ships or afloat units, commanders, or commanding officers of Naval shore activities or installations, bases, camps, stations, and supply activities, subject to the jurisdictions, administrations, or in the custody of the Department of the Navy.

E1.1.3. The commanders of major air commands, numbered air forces, wings, groups, or installations subject to the jurisdiction, the administration, or in the custody of the Department of the Air Force.

E1.1.4. The commanders of installations or activities subject to the jurisdiction, the administration, or in the custody of the Defense Agencies, DoD Field Activities, and other DoD organizational entities, or their separate operating activities.

E1.1.5. The commanders of installations or activities subject to the jurisdiction, the administration, or in the custody of the Commanders of the Combatant Commands, or the Chairman of the Joint Chiefs of Staff.

E1.1.6. The commanders/civilian directors in the chain of command immediately above an installation or activity not headed by a commander or civilian equivalent shall issue regulations or orders on the security of the installation or activity. Where there is no Commander or civilian equivalent in the chain of command, necessary proposed regulations or orders shall be forwarded to the Under Secretary of Defense for Intelligence for processing.

E1.2. COMMANDER PREPARATION

Commanders shall prepare, clearly post, and enforce the security orders and regulations issued, and according to this Instruction and cited public laws, as appropriate, to ensure the proper safeguarding of personnel, facilities, and property from loss, destruction, espionage, terrorism, or sabotage.

E1.3. PROMULGATING SECURITY REGULATIONS

In promulgating security regulations, commanders shall comply with policies and procedures established by the Head of the DoD Component concerned with disseminating security regulations. All security orders and regulations shall be submitted for review to ensure legal sufficiency by the servicing Judge Advocate or other legal advisor to the command.